

### *AMENDMENTS TO THE DRAWINGS*

The drawings have been amended to include 2 new sheets of drawings containing additional Figures 19-21. Figures 19-21 illustrate visually what has been previously already described in word in the original application. These figures show how four-sided panels with rounded corners, triangular-sided panels, and four-sided panels with rounded corners and concave portions are oriented relative to each other for seaming with an additional fabric panel.

Applicant respectfully submits that the changes to the drawings submitted herewith do not add new matter to the application as these embodiments are fully supported and adequately described in words and figures of the application as originally filed.

## REMARKS

### *The Pending Claims*

No claims have been amended, added, or deleted, thus claims 1-3, 5-8, 10-16, 19, and 22-23 are currently pending in the application.

### *Summary of the Office Action*

The Office Action dated December 13, 2006, included the following rejections and objections:

1. The drawings were objected to under 37 C.F.R 1.83(a).
2. Claims 5, 6, 10, 11, 13, and 16 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.
3. Claims 1, 2, 3, 7, 8, 12-15, 19, 22, and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soriano et al. (GB 2 390 574) in view of Bauer et al. (US Patent 5,456,493).

In response to these rejections, objections, and comments, and in view of the above Amendments, Applicants provide the following Remarks:

### *Discussion of the Rejections*

The drawings were objected to as to not showing each feature specified in claims 5, 6, 10, 11, and 16. Applicants have submitted herein additional Figures 19-21 in response to the helpful communication of the Office Action. Applicants respectfully believe that these drawings do not add new matter, and in fact they simply illustrate visually embodiments that were fully described in the originally filed specification at pages 5-7; and in originally filed Figures.

Claims 5, 6, 10, 11, 13, and 16 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Office Action stated that the claims contained subject matter which was not reasonably described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention and that the side panel is only shown in Figures 13A-15, with a front and rear panel that is square and it is not disclosed how panels of the various other claimed shapes would be

attached to the side panel. Applicant respectfully disagrees with this conclusion. The application describes how one would construct the invention with square shaped fabrics and the peripheral side panel and how the construction would look relative to Figures 6 and 7 which show how the construction is made without the peripheral strip. One skilled in the art would follow the same procedure as outlined on page 7, line 18 through page 8 line 4 with other shaped fabrics (shown in Figures 9, 11, and 12) to create an air bag with alternative shapes and the peripheral strip. Further, as described below Applicants specifically states that other geometries as disclosed could be employed with the side banding in the same manner as the square panel construction:

*"In this embodiment, first and second four-sided panels **50A** and **50B** are cut as described above with respect to Fig. 6. However, in this embodiment, an additional fabric panel **52** is provided intermediate the front and rear panels. The front and rear panels **50A**, **50B** are positioned such that the yarns in one are at a bias relative to the yarns in the other, but rather than the panels being joined directly together, the peripheral side panel **52** is seamed between the two. In this way, additional three dimensionality can be readily provided. This can be accomplished by offsetting the front and rear panel-forming pieces in the manner shown in the figure, and seaming corner **54** of panel **50B** to a central region **56** of panel **50A**, then seaming around the entire periphery in the manner performed with respect to Figs. 6 and 7, thereby securing panel **52** between the front and rear panels along the seam. The resulting bag is illustrated in Fig. 15. Although illustrated as being three separate pieces, it is noted that the pieces could be cut such that the adjacent edges are left attached rather than fully cut into separate pieces. In addition, although shown in combination with the square shaped panels, it is noted that this side banding can be provided in combination with any of the embodiments of the invention." (emphasis added) (Page 7 line 18 - page 8 line 4)*

With the directions in the specification and the Figures and text, one skilled in the art would readily apply the resultant constructions alternative panel constructions including a peripheral strip. Applicants also respectfully believe that from the text of the specification and Figures 8-9 and 13-15, one skilled in the art could readily envision the same structure but using rounded corners, rather than pointed corners. The disclosure of the specification was detailed and complete.

Claims 1, 2, 3, 7, 8, 12-15, 19, 22, and 23 were rejected under 35 USC 103(a) as being unpatentable over Soriano et al (GB 2390574) in view of Bauer et al. (US 5,456,493). Specifically, the Office Action acknowledges that Soriano doesn't teach

rounded corners or concave sides or a peripheral side panel, but determines that the side panel would have been obvious based on a combination of Soriano with the Bauer et al. teaching. The Office Action states that Bauer et al. teaches that it is known to provide a rectangular side panel, and that such a panel provides an advantage over airbags that have front and rear panel sewn directly to each other. Applicant respectfully disagrees. Bauer et al. describes a cylindrical air bag formed from generally circular inner and outer end walls joined together with a cylindrically-shaped side wall. Bauer et al. teaches away from the invention, since Bauer et al. discloses only circular end walls.

To establish a *prima facie* case of obviousness there must be some suggestion or motivation that would lead to the claimed invention. The suggestion or motivation may derive from the references themselves or from the knowledge generally available to those of skill in the art. In addition, all the claim limitations must be taught or suggested by the prior art (MPEP §2142). In the present case, there is no motivation in the references to combine the teachings of the two patents, absent Applicant's disclosure. The bags have completely different configurations, and there would be no motivation for someone to take the offset two panel bag construction of Soriano (where one panel contacts the passenger, and the other has the mouth in it and is secured to the vehicle) and combine it with the construction of Bauer, where the only configuration presented is a cylindrical air bag. There is no motivation expressed in Bauer et al. to use a side wall in an air bag shape other than a cylindrical shape and no motivation expressed in Bauer et al. to use two pieces of fabric with the woven fabric at a bias to one another. Further, Bauer et al. teaches away from the claimed invention since Bauer et al. advocates using circular end walls, while the claimed invention employs front and rear panels having a non-circular configuration. Therefore, it is respectfully requested that the rejection be withdrawn.

### Conclusion

In view of the forgoing amendments and remarks, the Examiner is respectfully

requested to withdraw the outstanding rejections and to pass the subject application to allowance. In the event that the Examiner believes that the claims would be allowable with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

**Fee Authorization:** In the event that there are additional fees associated with the submission of these papers, Applicant hereby authorizes the Commissioner to withdraw those fees from our Deposit Account No. 04-0500.

**Extension of Time:** In the event that additional time is required to have the papers submitted herewith for the above referenced application to be considered timely, Applicant hereby petitions for any additional time required to make these papers timely and authorization is hereby granted to withdraw any additional fees necessary for this additional time from our Deposit Account No. 04-0500.

April 2, 2007

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Respectfully submitted,

  
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